

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>THE CONSTITUTION PARTY OF PENNSYLVANIA, et al.,</b>	:	<b>CIVIL ACTION</b>
	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>CAROL AICHELE, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	<b>NO. 12-2726</b>

**ORDER**

**AND NOW**, this 1<sup>st</sup> day of February, 2018, upon consideration of the Third Circuit’s opinion in Constitution Party of Pa. v. Cortes, 877 F.3d 480 (3d Cir. 2017) and the parties’ joint proposed modifications to this court’s June 30, 2016 order (Doc. No. 97), **IT IS HEREBY ORDERED** that the parties’ request for this court to adopt their proposed modifications is **GRANTED** as follows:

This order shall replace the order I issued on June 30, 2016. (Doc. No. 97.)

Until such time as the Pennsylvania Legislature enacts a permanent measure amending or modifying the process to place the plaintiff political bodies on the general election ballot and this change is signed by the Governor of Pennsylvania, the following rules shall apply to the plaintiff political bodies with respect to securing placement of their candidates on the general election ballot in Pennsylvania.

1. Candidates for the offices listed below shall present to the Secretary of the Commonwealth every August 1 nomination papers containing at least as many valid signatures of qualified electors of the state or the electoral district, as the case may be, as listed below:

- a. President of the United States: Five thousand.
- b. United States Senate: Five thousand.
- c. Governor: Five thousand.
- d. Lieutenant Governor: Two thousand five hundred.
- e. Treasurer: Two thousand five hundred.
- f. Auditor General: Two thousand five hundred.
- g. Attorney General: Two thousand five hundred.
- h. Justice of the Supreme Court: Two thousand five hundred.
- i. Judge of the Superior Court: Two thousand five hundred.
- j. Judge of the Commonwealth Court: Two thousand five hundred.
- k. For any other office to be filled by the vote of the electors of the state at large: Two thousand five hundred.

2. Candidates for non-statewide offices shall present to the Secretary of the Commonwealth by August 1 nomination papers containing at least as many valid signatures of qualified electors of the state or the electoral district, as the case may be, as set forth by 25 P.S. § 2911(b).

3. No candidate of the plaintiff political bodies shall be assessed costs under 25 P.S. § 2937.

4. This Order is intended to replace the signature requirement imposed by 25 P.S. § 2911(b). The defendants are enjoined from enforcing this signature requirement in conjunction with the objection procedure set forth in 25 P.S. § 2937 as applied to nomination

papers submitted by the plaintiffs Constitution Party of Pennsylvania, Green Party of Pennsylvania and Libertarian Party of Pennsylvania and by their candidates for office.

5. All other provisions of the Pennsylvania Election Code that do not conflict with this Order continue to apply to the candidates of the plaintiff political bodies.

**BY THE COURT:**

/s/ *Lawrence F. Stengel*  
LAWRENCE F. STENGEL, C.J.